



EMERGENCY ORDER
IN AND FOR THE CITY OF SEQUIM, WASHINGTON
No. 2020-20A

Regarding modification of Emergency Order 2020-20 to open certain additional City parks and facilities; posting “use at your own risk” signage regarding playground and other City equipment and amenities; and establishing penalties for violation.

Policy/Budget ☒ (Council) **City Clerk use only:** Presented to Council _____
Administrative (City Manager) ☐

On March 16, 2020, at a special meeting of the City Council of the City of Sequim, the City Council issued a Proclamation of Civil Emergency due to the novel coronavirus (COVID-19) outbreak that was identified as a pandemic by the World Health Organization on March 11, 2020. The Proclamation was issued pursuant to Sequim Municipal Code 2.60, RCW 35A.38.010, and RCW 38.52.070(2) based on the public health threat posed by COVID-19, and is consistent with concurrent emergency declarations issued by the President of the United States and the Governor of the State of Washington.

Subsequent to Governor Jay Inslee’s issuance of “Stay Home Stay Healthy” and “Safe Start” Proclamations, Washington State and local governments like the City of Sequim have issued a series of orders and guidelines aimed at controlling the spread of the disease and establishing programs to ameliorate the pandemic’s impact on the public.

On May 26, 2020, the City Council ratified Emergency Order (EO) 2020-01 which, among other things, closed City playgrounds.

Also on May 26, 2020, the City Council ratified EO 2020-04 closing City parks and gathering areas to comply with the Governor’s amended “Stay Home Stay Healthy” Proclamation.

On May 29, 2020, the City of Sequim issued EO 2020-20 reopening certain City parks and facilities to the public, with physical distancing and other safe use guidelines in place to comply with the Governor’s Proclamations.

On August 17, 2020, the City issued EO 2020-34 adopting and incorporating prospectively any Washington State Proclamation that does not allow discretionary action within the City’s authority. These Proclamations often contain mandates regarding physical distancing, sanitation, gathering size, and the use of facial coverings.

On September 24, 2020, City staff determined that some additional City parks and facilities could reopen without conflicting with current State mandates, including playground equipment and ball fields, provided that the users accept the risk of potential exposure to the virus and accept responsibility for following the CDC guidelines and State mandates regarding physical distancing, hygiene, and sanitation that are in effect at the time of their use.



Staff further determined that signage will be posted informing members of the public that use of playground and other equipment and amenities in City parks and facilities is at their own risk in terms of COVID-19 exposure and spread (see sample signs attached).

NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

**Section 1. Repeal Section 1 of Emergency Order 2020-20 and adopt the following
Emergency Order 2020-20A Section 1:**

The following orders regarding public use of City parks and other facilities now apply and will continue in effect unless and until modified or superseded by a conflicting mandate from the State of Washington:

- Gatherings at City parks and facilities, including social events and team sports, must comply with any State mandate in effect at the time with regard to limitation on the number and relationship of participants.¹
- Users of City parks and facilities must follow State public health mandates, and are encouraged to follow CDC guidelines on hygiene and sanitization. Use of City equipment and amenities is at the risk of the user in terms of COVID-19 exposure.
- All City parks are open.
- The dog park, skate park, pickleball court, picnic shelters, and community gardens are open.
- The restrooms in Carrie Blake Park near the pickleball courts and in the Water Reuse Area are open.
- The City's restrooms located downtown on Sequim Avenue are open.
- The Clallam Transit Center restrooms are open.
- The following amenities at Carrie Blake Park are open: playground, horseshoes, bocce ball, and shuffleboard. Users of these amenities do so at their own risk in terms of COVID-19 exposure and are responsible for their own sanitization and hygiene.
- The fish pond is open for fishing for children up to age 14, and to all ages for model boats.
- No City facilities will be available for rent until the City has entered Phase 3 of the Governor's Safe Start Plan, except for rentals made pursuant to EO 2020-33 for government and emergency-related events.
- The City will post signage similar to the attached which informs the public that use of the equipment and amenities in City parks and gathering places is at the user's own risk with regard to COVID-19 exposure.

**Section 2. Repeal Section 2 of Emergency Order 2020-20 and adopt the following
Emergency Order 2020-20A Section 2:**

Visitors to the City's parks and gathering places must follow any physical distancing or sanitation mandate that has been put into effect by a Proclamation from the Governor of the State of Washington at

¹ This Emergency Order is not intended to address spontaneous constitutionally-protected exercises of free expression that may fall under different laws and rules.



the time of the visit. In addition, to the extent not contradicted by a State mandate, the following provisions will apply:

- Any person exhibiting any cold or flu-like symptom must leave the City park, playground, or other facility or amenity.
- The City may close any City park, facility, or amenity at any time if there is reason to believe unsafe conditions exist or physical distancing practices are not being followed.
- The number and relationship of participants in a gathering on City property must comply with the State mandate in effect at the time.
- Physical distancing practices must occur when encountering others.
- Face masks or coverings must be utilized in any situation where physical distancing is not possible, if mandated by the State.

Section 3. Penalty for Violation. Persons who violate the City's orders are subject to the penalties set forth in SMC 2.60.140.

Section 4. Presentation, Ratification, Termination. Emergency Orders issued under the March 16, 2020 Proclamation of Civil Emergency will be filed with the Legal Department and presented by the City Clerk as soon as practicable to the City Council for ratification and confirmation, modification, or rejection, if applicable.

Rejected orders will be void after the Council vote rejecting them.

Until such time as Council acts, Emergency Orders will be considered in full force and effect.

Section 5. Duration. Unless modified, extended, or terminated by the Sequim City Council or Sequim City Manager, as applicable, this Emergency Order is effective immediately and remains in effect until such date and time as all applicable emergency orders and proclamations are lifted.

SIGNED this 29th day of September, 2020, at 12:35 hours.

CITY OF SEQUIM

A handwritten signature in blue ink that reads "Charles P. Bush".

Charles P. Bush, City Manager

Approved as to form:

A handwritten signature in blue ink, appearing to read "Kristina Nelson-Gross".

Kristina Nelson-Gross, City Attorney

Attest:

A handwritten signature in blue ink that reads "Sara McMillon".

Sara McMillon, City Clerk



Use Equipment at **Your Own Risk**

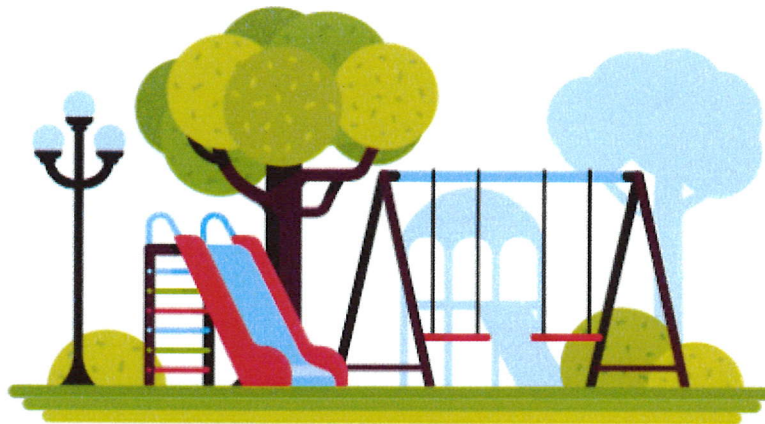
**Playgrounds are not regularly
cleaned or disinfected.**

These recommendations should be followed to slow the spread of COVID-19:

- Any person exhibiting any cold or flu-like symptoms should not be in the park or public gathering places and needs to return home.
- Wash hands with soap and water (or hand sanitizer) before and after playing or using playground equipment – nearby restrooms are available.
- Practice social distancing by following CDC guidelines.

The City is not responsible in any manner for people who use or allow their children to use any playground equipment, regardless of their compliance or non-compliance with the above recommendations. People and their children who use the playground equipment expressly assume all risk and responsibility for any potential COVID-19 exposure or illness.

Contact the City of Sequim Public Works Department at (360) 683-4908 with questions.



Use Park Amenities **at Your Own Risk**

**Park amenities are not regularly
cleaned or disinfected.**

These recommendations should be followed to slow the spread of COVID-19:

- Any person exhibiting any cold or flu-like symptoms should not be in the park or public gathering places and needs to return home.
- Wash hands with soap and water (or hand sanitizer) before and after playing or using park amenities – nearby restrooms are available.
- Practice social distancing by following CDC guidelines.

The City is not responsible in any manner for people who use or allow their children to use any park amenities, regardless of their compliance or non-compliance with the above recommendations. People and their children who use park amenities expressly assume all risk and responsibility for any potential COVID-19 exposure or illness.

Contact the City of Sequim Public Works Department at (360) 683-4908 with questions.